# BEFORE THE INDIANA STATE BOARD OF EDUCATION

IN THE MATTER OF:	)
EDISON LEARNING, INC. AND THEODORE ROOSEVELT COLLEGE AND CAREER ACADEMY, PETITIONER	) ) ) PROCEEDING PURSUANT TO: ) 511 IAC 6.2-9-8(d) )
AND	) REQUEST FOR ) DETERMINATION OF ) NONCOMPLIANCE
GARY COMMUNITY SCHOOL CORP., RESPONDENT	)

## NONFINAL ORDER OF DISMISSAL

The Administrative Law Judge has been advised by the attached Motion from Petitioner that it wishes to withdraw its Request for a Determination of Noncompliance by the Respondent. Said Motion was received on August 21, 2014. Accordingly, the Administrative Law Judge now enters a Nonfinal Order of Dismissal.

The Indiana State Board of Education will consider this Nonfinal Order of Dismissal at its scheduled public meeting and issue a Final Order of Dismissal.

Neither party has waived any rights, claims, privileges, or defenses, or is prejudiced in any manner by the granting of this Order of Dismissal.

DATE: August 21, 2014

KEVIN C. McDÓWELL

Administrative Law Judge

Office of the Indiana Attorney General 302 W. Washington St., IGCS 5<sup>th</sup> Floor

Indianapolis, IN 46204-3795

Phone: (317) 232-6325 (direct) Fax: (317) 232-7979

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## Attachment:

1. Petitioner's Withdrawal of Notice and Request for Adverse Action Hearing

### Distribution:

A copy of the foregoing has been provided to the following:

Sarah Steele Riordan, Esq. Frost Brown Todd, LLC 201 N. Illinois St., Suite 1900 P.O. Box 44961 Indianapolis, IN 46244-0961 Your File: No. 0124202-0594194

Tracy A. Coleman, Esq. Robert L. Lewis and Associates 2148 W. 11<sup>th</sup> Ave. Gary, IN 46404

## **Courtesy Copies**

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Indiana Department of Education
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IN THE MATTER OF:	)
EDISON LEARNING, INC. AND	) )
THEODORE ROOSEVELT COLLEGE	) PROCEEDING PURSUANT TO
AND CAREER ACADEMY,	) 511 IAC 6.2-9-8(d)
Petitioner,	) Indiana Dept. of Education Received
and	AUG 2 1 2014
GARY COMMUNITY SCHOOL CORPORATION,	Office of Legal Affairs )
Respondent.	) () )

## EDISONLEARNING, INC.'S WITHDRAWAL OF ITS NOTICE AND REQUEST FOR ADVERSE ACTION HEARING

EdisonLearning, Inc., ("Edison") by counsel, respectfully withdraws its June 25, 2014, Notice and Request for Adverse Action Hearing. In support thereof, Edison. states that:

- 1. On June 25, 2014, Edison submitted a Notice and Request for Adverse Action Hearing pursuant to 511 IAC 6.2-9-8(d), seeking a determination that Gary Community School Corporation ("GCSC") failed to comply with the requirements of that regulation.
- 2. Beginning in July, 2014 and on a continuing basis, the leaders of both parties have met to discuss resolution of the issues giving rise to Edison's Notice and Request for Adverse Action Hearing.
- 3. Because the parties' discussions have been fruitful and both parties are confident that progress will continue to be made, Edison seeks to withdraw its Notice and Request.

4. Edison has notified GCSC's counsel of its intent to seek withdrawal, and has also notified counsel for the Indiana Department of Education and the Indiana State Board of Education. None of these entities objects to the withdrawal.

WHEREFORE, EdisonLearning, Inc., respectfully withdraws its Notice and Request for Adverse Action Hearing.

Respectfully submitted,

FROST BROWN TODD LLC

By

Sarah Steele Riordan, #17517-53

Attorneys for Petitioner EdisonLearning, Inc.

#### CERTIFICATE OF SERVICE

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